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12

13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15

16 UNITED FARM WORKERS, ) Case No. C 07-03950 JF  
17 AFL-CIO, et al., )  
18 )  
19 Plaintiffs, ) STIPULATED MOTION  
20 ) TO REVISE JOINT CASE  
21 v. ) MANAGEMENT STATEMENT  
22 )  
23 )  
24 )  
25 ADMINISTRATOR, )  
26 UNITED STATES )  
27 ENVIRONMENTAL )  
28 PROTECTION AGENCY, )  
Defendant. )  
\_\_\_\_\_ )

23 Pursuant to Local Rule 7-12, the parties stipulate to the following revisions to the  
24 deadlines governing submission of the Index to the Administrative Record and dispositive  
25 motions in section I of the Supplement to the Joint Case Management Statement that was  
26 filed on March on March 19, 2008, and approved by the Court at the case management  
27 conference held Friday, March 21, 2008. The deadlines in the Supplement to the Joint  
28 NO. C-07-03950 JF  
STIPULATED MOTION TO REVISE JOINT CASE MANAGEMENT STATEMENT

1 Case Management Statement were the first deadlines for submission of the record index  
2 and dispositive motions entered by the Court and there have been no previous extensions  
3 of those deadlines.

4  
5 As described in the Supplement to the Joint Case Management Statement,  
6 plaintiffs and defendant have been discussing a settlement of this case. Plaintiffs and  
7 defendant continue to be hopeful that a settlement can be reached. Intervenor has not  
8 been party to those discussions, and join this stipulation without prejudice to their pending  
9 Motion to Dismiss.

10 While plaintiffs and defendant have had discussions concerning the administrative  
11 record, and defendant has produced a draft index to plaintiffs, the effort of plaintiffs and  
12 defendant has been on settlement and they have not yet agreed upon the excerpts of record  
13 to be submitted to the Court. Accordingly, to allow plaintiffs and defendants to continue  
14 to focus their efforts on settlement, an extension of the deadlines in the Supplement to the  
15 Joint Case Management Statement is appropriate. Furthermore, the Court indicated at the  
16 May 9 hearing on intervenor's motion to dismiss that it intends to grant plaintiffs' motion  
17 regarding the administrative record, which is likely to require supplementation of the  
18 record and a further extension of the deadlines for submission of the administrative record  
19 and for dispositive motions. Thus, this extension is not likely to delay ultimate resolution  
20 of this case.

21  
22 Accordingly, the parties stipulate to the following revised deadlines:

23  
24 July 14, 2008 EPA will file with the Court and serve on the other parties a  
25 certified index to the administrative records and the  
26 agreed-upon excerpts of the records.  
27

1 September 15, 2008 Plaintiffs' Motion for Summary Judgment due

2 November 14, 2008 Defendant's and Intervenor's Oppositions and

3 Cross-Motions due

4 December 12, 2008 Plaintiffs' Reply and Opposition due.

5 Respectfully submitted this 15th day of May, 2008.

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8  
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1 PURSUANT TO STIPULATION, IT IS SO ORDERED  
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5 \_\_\_\_\_  
6 Honorable Jeremy Fogel  
7 United States District Judge  
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